

A-Engrossed
Senate Bill 276

Ordered by the Senate May 14
Including Senate Amendments dated May 14

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary)

Corrected Summary

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Increases penalty for crime of riot to maximum of 10 years' imprisonment, \$250,000 fine, or both.]

Provides legislative approval of amendments to temporary rule and to Appendix 1 of rules of Oregon Criminal Justice Commission. Directs commission to adopt permanent rule in substantially same form as temporary rule without further legislative action.

Directs commission to prepare report analyzing effectiveness of amendments in reducing criminal conduct and crime rate.

Prescribes effective date of amendments adopted by commission. Directs commission to take action to sunset amendments.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to crime; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The Seventy-fourth Legislative Assembly approves the amendments,**
5 **adopted by temporary rule of the Oregon Criminal Justice Commission, to OAR 213-004-0001**
6 **and to Appendix 1 of the rules of the Oregon Criminal Justice Commission.**

7 **(2) The Oregon Criminal Justice Commission shall adopt a permanent rule in substan-**
8 **tially the same form as the temporary rule approved by subsection (1) of this section before**
9 **the expiration of the temporary rule. Notwithstanding ORS 137.667, the permanent rule re-**
10 **quired to be adopted by this subsection takes effect without further legislative action.**

11 **SECTION 2. The Oregon Criminal Justice Commission shall prepare a report analyzing**
12 **the effectiveness of the amendments to OAR 213-004-0001 and to Appendix 1 of the rules of**
13 **the commission approved by section 1 of this 2007 Act in reducing criminal conduct and the**
14 **crime rate. The report shall be submitted to the interim legislative committee with oversight**
15 **of the judiciary or, if no such interim legislative committee is created, to the Speaker of the**
16 **House of Representatives and the President of the Senate no later than January 1, 2011.**

17 **SECTION 3. (1) The Oregon Criminal Justice Commission shall, after March 1, 2011, and**
18 **before May 1, 2011, adopt amendments to OAR 213-004-0001 and Appendix 1 of the rules of the**
19 **commission which return OAR 213-004-0001 and Appendix 1 of the rules of the commission**
20 **to the form in effect prior to adoption of amendments by temporary rule as described in**
21 **section 1 (1) of this 2007 Act.**

22 **(2) Notwithstanding ORS 137.667, the amendments to OAR 213-004-0001 and to Appendix**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **1 of the rules of the commission described in subsection (1) of this section shall:**

2 **(a) Become effective upon adoption; and**

3 **(b) Apply to offenses committed on or after the effective date of that adoption.**

4 **SECTION 4. The amendments to OAR 213-004-0001 and to Appendix 1 of the rules of the**
5 **Oregon Criminal Justice Commission approved by section 1 of this 2007 Act take effect on**
6 **January 1, 2008, and apply to offenses committed on or after January 1, 2008.**

7 **SECTION 5. This 2007 Act being necessary for the immediate preservation of the public**
8 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**
9 **on its passage.**

10